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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|-----------------|
| Application Number | 09/649,190 |
| Filing Date | August 28, 2000 |
| First Named Inventor | COOPER, Paul V. |
| Group Art Unit | 1742 |
| Examiner Name | Kastler, S. |
| Attorney Docket Number | 23438.00023 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-3878
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|------------------------|-----------------------------------|--------|
| Name (Print/Type) | David E. Rogers | Registration No. (Attorney/Agent) | 38,287 |
| Signature | <i>David E. Rogers</i> | Date | 4-4-03 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|-------------------|------------------|------|--------|
| Name (Print/Type) | Lisa Held | Date | 4-4-03 |
| Signature | <i>Lisa Held</i> | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I, Lisa Held, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX NON-FEE AMENDMENT, Commissioner for Patents, Washington, D.C. 20231, on:

Date: 4-9-03

By Scatler

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Paul V. Cooper Docket No.: 23438.00023
Application No.: 09/649,190 Group Art Unit: 1742
Filing Date: August 28, 2000 Examiner: Scott R. Kastler
TITLE SCRAP MELTER AND IMPELLER THEREFORE

TRANSMITTAL OF PRELIMINARY AMENDMENT

BOX NON-FEE AMENDMENT

Commissioner for Patents

Washington, D.C. 20231

Commissioner:

Herewith is a response in the above-identified application to the Office Action mailed on **October 4, 2002**. Applicants hereby petition, pursuant to 37 C.F.R. §1.136, that the shortened statutory response period be extended for **five (5) months** until **March 4, 2003**. The fee set forth in 37 C.F.R. §1.17 is enclosed.

[x] Applicant claims small entity status under 37 C.F.R. §§1.9 and 1.27.

FEE CALCULATION, CLAIMS AS AMENDED:

| | Claims remaining after amendment | | Highest number previously paid for | | Present Extra | | | | Additional Fee |
|------------------------|----------------------------------|-------|------------------------------------|---|---------------|---|-----------|---|----------------|
| Total Effective Claims | 31 | minus | 33 | = | 0 | x | \$ 18.00 | = | \$.00 |
| Independent Claims | 7 | minus | 9 | = | 0 | x | \$ 84.00 | = | 0.00 |
| | | | | | | | | | |
| | | | | | | | Subtotal: | | \$.00 |

Subtotal:.00

Fee Calculation: Request for extension of time pursuant to 37 C.F.R. §1.136(a)

[] Response filed within first month after due date – add \$ 110.00
[] Response filed within second month after due date – add \$ 410.00

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☒ Response filed within third month after due date – add \$ 930.00
☐ Response filed within fourth month after due date – add \$1450.00
☐ Response filed within fifth month after due date – add \$1970.00

Subtotal: \$930.00

If one of the "small entity" boxes above is checked, enter half (1/2)
of the second subtotal and subtract. \$465.00

TOTAL ADDITIONAL FEE ENCLOSED: \$465.00

☒ Please charge Deposit Account No. 19-3878 in the amount of \$840.00, \$465 for the Extension of Time fee under 37 C.F.R. §§1.136 and 1.17 and \$375 for the RCE fee under 37 C.F.R. §1.114. **A duplicate copy of this sheet is attached.**

☐ A Squire, Sanders & Dempsey L.L.P. check in the amount of _____ is attached.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-3878 for which purpose a duplicate copy of this sheet is attached.

Respectfully submitted,

4-4-03

Date

By

David E. Rogers

David E. Rogers
Reg. No. 38,287

SQUIRE, SANDERS & DEMPSEY L.L.P.

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